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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,844	12/20/2000	Juha Lehtikoinen	4925-79	8127
7590 04/06/2004				
Edward M. Weisz, Esq. Cohen, Pontani, Lieberman & Pavane Suite 1210 551 Fifth Avenue New York, NY 10176		EXAMINER DAO. MINH D		
		ART UNIT PAPER NUMBER		
		2682		
		DATE MAILED: 04/06/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,844

Applicant(s)

LEHIKONEN ET AL.

Examiner

MINH D DAO

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 25-38 is/are allowed.
- 6) ☒ Claim(s) 1-7 and 13-19 is/are rejected.
- 7) ☒ Claim(s) 8-12 and 20-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-3, 6, 7, 13-15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US Patent 6,452,498) in view of Overy et al. (US Patent 6,122,530).

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Regarding claim 1, Stewart teaches a method of providing location-dependent services information to a mobile Station, the mobile station being capable of short range communication (Col. 3, lines 55-67), comprising the steps of: activating service access key on the mobile station for initiating a search for location-dependent services (Col. 4, lines 16-18); transmitting a short range wireless communication query to the beacon for requesting location-dependent services information pertaining to a location of the mobile station (Col. 5, lines 1-6) if it is determined that the mobile station is within the operating range of the beacon (Col. 4, lines 8-11), the query including a predetermined information request for location-dependent services information associated with the key activation; and transmitting, from the beacon to the mobile station in response to the mobile station query, location-dependent services information (Col. 4, lines 16-18). However, Stewart fails to teach a **dedicated** services access key on the mobile. Overy, in an analogous art, teaches a one key-stroke dedicated super-speed dialing (col. 1, lines 63-67; col. 2, lines 1-7). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mobile unit of Stewart in order to be able to speed dial up a service by pressing only one key stroke.

Regarding claims 2 and 14, the combination of the teachings of Stewart and Overy teaches the method of claim 1, wherein the transmitted

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location-dependent services information comprises categories of services information (Reference Stewart, Col. 4, lines 17-19).

Regarding claims 3 and 15, the combination of the teachings of Stewart and Overy teaches the method of claim 2, further comprising the step of selecting, by using function keys on the mobile station, desired information from the categories of information (Reference Stewart, Col. 5, lines 1-10).

Regarding claims 6 and 18, the combination of the teachings of Stewart and Overy teaches the method of claim 1, wherein the transmitted location-dependent services information comprises a text message displayed on a display of the mobile station (Reference Stewart, Col. 4, lines 17-19; Col. 5, lines 6-10).

Regarding claim 13, the claim has the same limitations as in claim 1, therefore is rejected for the same reason set forth in claim 1.

Regarding claims 7 and 19, the combination of the teachings of Stewart and Overy teaches that the mobile station comprises a mobile phone (reference Overy, fig. 1).

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2. Claims 4, 5, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart (US Patent 6,452,498) in view of Overy et al. (US Patent 6,122,530) and further in view of Evans (US Patent 6,327,535).

Regarding claims 4, 5, 16 and 17, the combination of the teachings of Stewart and Overy fails to teach that the mobile station comprises a Bluetooth transceiver. However, Evans discloses a mobile station that comprises a Bluetooth transceiver (Col. 26, lines 15-20). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the teaching of Evans to Stewart in order to have an efficient wireless, low cost and low power Bluetooth system.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:

Claims 8-12, 20-23, and 26-29 are allowed as stated in the previous action.

Claims 30-38 are allowed as stated in the Applicant's remarks on pages 12 and 13.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Applicant's arguments with respect to claims 1-3, 6, 7, 13-15, 18, and 19 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D DAO whose telephone number is 703-305-5589. The examiner can normally be reached on 8:30 AM - 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN C CHIN can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao
Examiner
Art Unit 2682
March 25, 2004 *MD*


LEE NGUYEN
PRIMARY EXAMINER